

App. No. 09/863,120
Amendment

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested. In the above amendment claims 1, 6 and 9-13 are currently being amended and no claims are currently being canceled or added. Therefore, claims 1-13 are pending in the application.

Certified Copy of Priority Document

The Examiner asserts that Applicants have not filed a certified copy of the priority document Japanese Application No. JP 11-293058 filed October 14, 1999.

Applicants assert, however, that a certified copy of the priority document was filed on June 5, 2001, in U.S. Patent Application No. 09/687,650, which is the parent application hereto. That is, because the present application is a CIP of U.S. Patent Application No. 09/687,650, and a certified copy of the priority document was filed therein, it is not necessary to file an additional certified copy of the priority document in this application.

This rule is set forth in Section 201.14(b)II of the Manual of Patent Examining Procedure (MPEP), which states:

"Where the benefit of a foreign filing date based on a foreign application is claimed in a later filed application (i.e., continuation, continuation-in-part, division) or in a reissue application and a certified copy of the foreign application as filed, has been filed in a parent or related application, it is not necessary to file an additional certified copy in the later application."
(MPEP § 201.14(b)II).

Therefore, Applicants have complied with all requirements.

App. No. 09/863,120
Amendment

Claim Rejection under 35 U.S.C. § 101

The Examiner rejected claims 9-13 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory matter. Applicants respectfully traverse this rejection.

Applicants have amended claim 9 in the manner suggested by the Examiner. Furthermore, Applicants have amended dependent claims 10-13 to be consistent with claim 9. Therefore, this rejection should be withdrawn.

Claim Rejection under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-13 under 35 U.S.C. § 102(b) as being allegedly anticipated by Japanese Patent No. JP 05-101161 to Oka Masaaki ("Masaaki"). Applicants respectfully traverse this rejection.

Applicants have amended independent claim 1 to recite that the line drawing image comprises "a plurality of" line drawing image pieces "separate from each other". This amendment is supported by Applicants' specification at, for example, page 37, line 26 to page 38, line 9, as well as FIGS. 13, 15 and 23. FIG. 15 illustrates several separate basic objects 415 which form the obstacle object 411. Applicants have amended independent claims 6 and 9 in a similar manner.

With the apparatus of amended independent claim 1, vibrations are imparted to each of the line drawing image pieces, which makes it possible to provide a new entertaining image. (See Applicants' specification, page 69, lines 16-21).

Masaaki does not disclose or suggest a line drawing image that comprises a plurality of line drawing image pieces separate from each other, as is now recited in Applicants' amended independent claims. Specifically, Masaaki only discloses wire-frame models (see Masaaki's FIGS. 6-8) for

App. No. 09/863,120
Amendment

creating the animation of an elastic object such as "cloth" and a "curtain" (See Masaaki's paragraph [0002]). Masaaki is silent about imparting vibration to a plurality of line drawing image pieces separate from each other.

Therefore, Applicants assert that Masaaki does not anticipate amended independent claims 1, 6 and 9, and that the rejections should be withdrawn. Furthermore, the rejections of dependent claims 2-5, 7-8 and 10-13 should also be withdrawn for at least these same reasons due to their dependency on their respective independent claims.

No Fees Believed to be Due

No fees are believed to be due to file this response.

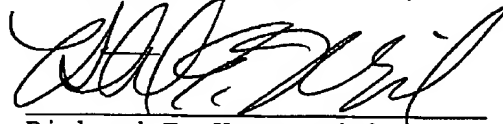
App. No. 09/863,120
Amendment

CONCLUSION

Applicants submit that the above remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Date: 11/22/05

Respectfully submitted,



Richard E. Wawrzyniak
Reg. No. 36,048
Attorney for Applicant(s)

Address all correspondence to:

FITCH, EVEN, TABIN & FLANNERY
Richard E. Wawrzyniak
120 So. LaSalle Street, Ste. 1600
Chicago, IL 60603
Tel.: (858) 552-1311
Fax: (858) 552-0095
Customer No. 22242